

**CABINET**

7 February 2022

Minutes of the Cabinet meeting held at the Council Chamber, Town Hall, Bexhill-on-Sea on Monday 7 February 2022 at 6:30pm.

Committee Members present: Councillors D.B. Oliver (Leader), S.M. Prochak, MBE (Deputy Leader), C.A. Bayliss, T.J.C. Byrne, K.P. Dixon, K.M. Field, H.L. Timpe and J. Vine-Hall.

Other Members present: Councillors J.J. Carroll (in part), Mrs V. Cook, P.C. Courtel, B.J. Drayson, C.A. Madeley and P.N. Osborne.

Advisory Officers in attendance: Chief Executive, Deputy Chief Executive, Chief Finance Officer, Director – Place and Climate Change, Head of Neighbourhood Services (in part), Revenues and Benefits Manager (in part) and Democratic Services Officer.

Also Present: 28 members of the public via the live webcast.

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Publication Date: 10 February 2022

The decisions made under PART II will come into force on 18 February 2022 unless they have been subject to the call-in procedure.

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**CB21/71. MINUTES**

(1)

The Chairman was authorised to sign the Minutes of the meeting held on 10 January 2022 as a correct record of the proceedings.

**CB21/72. APOLOGIES FOR ABSENCE**

(2)

There were no apologies for absence.

**CB21/73. DISCLOSURE OF INTERESTS**

(5)

There were no declarations of interest made.

**CB21/74. EXCLUSION OF PRESS AND PUBLIC (EXEMPT INFORMATION)**

(11)

**RESOLVED:** That the press and public be excluded whilst matters containing exempt information, as prescribed by Part 1 of Schedule 12A of the Local Government Act 1972, as amended and relating to Minute CB21/77 was under consideration. The report submitted in connection with this item and which contains information exempt from publication by virtue of Part 1 of Schedule 12A to the Act shall remain

confidential if and so long as, in all the circumstances of each case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**PART I – RECOMMENDATIONS TO COUNCIL –** not subject to call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules.

**CB21/75. DRAFT REVENUE BUDGET 2022/23**  
(6)

Consideration was given to the report of the Chief Finance Officer on the draft Revenue Budget for 2022/23. The budget had been scrutinised by the Overview and Scrutiny Committee (OSC) on 24 January 2022 and a copy of the Minutes arising from the OSC meeting had been appended to the report for Cabinet’s consideration. Also appended to the report were details of the summary draft Revenue Budget, the summary information for each service area, special expenses for 2022/23 and the Council’s revenue earmarked reserves.

The following key issues were highlighted:

- the Council Tax referendum principle for Rother would allow an increase in Council Tax of 2% or £5 whichever was the greater. For 2022/23, to ensure the Council remained within the referendum limit, it was assumed that an increase of £4.67 (2.47%) to £193.38 would be agreed for a Band D property;
- the following minor changes had been made namely increases of £6,000 to the Expenditure Budget and £193,000 following a review of the Collection Fund surplus, as well as the transfer of Bexhill Town Forum budget to Christmas Lighting in Special Expenses (no overall change);
- the 2022/23 Revenue Budget net expenditure was £16.736m; and
- the call on Revenue Reserves in 2022/23 would reduce by £188,000 to £3.108m.

The budget consultation closed on 31 January 2022 and 275 (266 residents) responses had been received. A summary of the results had been disseminated to Members prior to the meeting. It was disappointing to note that environmental services such as public safety and licensing were not considered priority services; both of these services were essential to ensuring that the public were kept safe. Members felt that awareness of these services should be increased via the Council’s communications platforms.

Cabinet noted the OSC’s comments, particularly with regard to using pre-fabricated / modular buildings for temporary accommodation on Council-owned sites. It was confirmed that where possible and, if appropriate, all modern methods of building (modular and timber framed) constructions would be considered.

It was clarified that the Council Tax Reduction Scheme would be effective from 1 April 2022.

The draft Revenue Budget had been balanced for 2022/23 by the planned use of £3.296m from Reserves. This was not sustainable, and it would be imperative that the Council delivered on key initiatives such as the Financial Stability Programme and Property Investment Strategy which were aimed at generating income and cost savings. Without action, the financial forecast showed Reserves would be under considerable pressure and may fall below acceptable levels over the next five years. This was attributed to several reasons but in particular the Council Tax freeze from 2011-2015 and significant increased costs of the joint Waste and Recycling contract. The Council would also be vulnerable to being able to cope with unexpected costs that arose. There were also risks regarding the impact of the Fair Funding Review and the income from business rates. Delivering a sustainable future remained a significant challenge for the Council.

**RECOMMENDED:** That consequent to the deliberations of the Overview and Scrutiny Committee that the:

- 1) level of Special Expenses as set out at Appendix C to the report be approved;
- 2) net expenditure of £16.763m for 2022/23 be approved;
- 3) amount of reserves set out in Appendix D to the report be approved; and
- 4) council tax for 2022/23 at Band D be increased by £4.67 (2.47%) and set at £193.38.

CB21/76.  
(7)

### **CAPITAL STRATEGY 2022/23 TO 2026/27**

In accordance with the CIPFA 2017 codes for Prudential and Treasury Management, the Council was required to have a Capital Strategy (CS). It was noted that the codes were being updated and therefore it might be necessary to amend the CS.

The draft CS was attached at Appendix A to the report and gave a high-level overview of how capital expenditure, capital financing and treasury management activities contributed to the provision of local public services, along with an overview of how associated risk was managed and the implications for future financial sustainability. The CS was intended to be a longer-term view of investment and go beyond the detailed five-year Capital Programme (CP) and would need to be updated occasionally to reflect delivery of the CP's objectives.

The Council's CP at Appendix B to the report totalled £132m, although £80m was unsecured funding. A significant part of the CP related to the Council's approved Property Investment Strategy (PIS) and loan funding to the Council's company Alliance Homes (Rother) Ltd. To date, approximately £20.6m had been expended or committed on 11 PIS properties/sites. Income of approximately £1.1m was included within 2022/23 Revenue Budget for PIS assets that had been acquired.

The updated CP continued to minimise the use of Revenue Reserves to fund capital expenditure. For 2022/23, some £1.0m was planned to be used, but this reduced thereafter. Largely this would be replaced by low cost borrowing where appropriate which, whilst having a revenue impact, was spread over a longer time period. Appendix B to the report showed the investment in approved schemes over the next five years and, also where schemes were part or fully funded. Environmental aspects would be considered in all projects.

The draft CP showed that the Council aimed to make a significant commitment to invest in the district to improve it economically and socially, to ensure it remained an outstanding place to work and live in.

**RECOMMENDED:** That:

- 1) the Draft Capital Strategy 2022/23 to 2026/27 be approved and adopted; and
- 2) the updated Capital Programme 2021/22 to 2026/27 be approved.

CB21/77.  
(12)

**DEVELOPMENT AT BEECHING ROAD, BEXHILL (PARAGRAPH 3)**

Consideration was given to the confidential report of the Director – Place and Climate Change regarding proposals for comprehensive redevelopment at Beeching Road and Wainwright Road, Bexhill. The Director – Place and Climate Change outlined the history of the area and current position. The importance of maintaining the confidentiality of this matter was reiterated to Members.

After consideration of several proposed redevelopment options, Cabinet recommended that the sum £15m be added to the Capital Programme. It was agreed that delegated authority be granted to the Director – Place and Climate Change to enter all necessary contracts, leases and agreements to facilitate the redevelopment of land at Beeching Road and Wainwright Road, Bexhill, in consultation with the Property Investment Panel and the Cabinet Portfolio Holders for Strategy and Transformation and Finance and Performance Management.

**RECOMMENDED:** That the sum of £15m be added to the Capital Programme.

**AND**

**\*RESOLVED:** That delegated authority be granted to the Director – Place and Climate Change to enter all necessary contracts, leases and agreements to facilitate the redevelopment of land at Beeching Road and Wainwright Road, Bexhill, in consultation with the Property Investment Panel and the Cabinet Portfolio Holders for Strategy and Transformation and Finance and Performance Management.

\*The **RESOLVED** parts of this Minute are subject to the call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules.

(This matter was considered exempt from publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended).

**PART II – EXECUTIVE DECISIONS** – subject to the call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules by no later than 4:00pm on 17 February 2022.

CB21/78. **COVID-19 ADDITIONAL RELIEF FUND (CARF) – DISCRETIONARY NON-DOMESTIC RATE RELIEF SCHEME**

(8)

Consideration was given to the report of the Revenues and Benefits Manager that set out details of the Government's COVID-19 Additional Relief Fund (CARF) – Discretionary Non-Domestic Rate Relief Scheme to assist businesses affected by the pandemic and who were ineligible for existing support linked to business rates. The Council would be reimbursed where relief was granted using discretionary powers under section 47 of the local Government finance act.

A total of £1,289,994 had been allocated to the Council for the CARF scheme, which was required to be applied to the business rates accounts of eligible businesses during the billing period 1 April 2021 to 31 March 2022. The Council could design, adopt and implement a scheme, subject to the Government's eligibility criteria. Not all businesses / organisations had been affected by the pandemic and it was proposed that these be excluded from the scheme; these included the public sector; education; financial and legal services; raw construction material producers; utility companies; medical; communication; advertising sites; beach huts; land for storage; show homes; and car parks (spaces).

Due to time constraints, it was proposed that the same percentage (38% approximately) reduction be given to all eligible businesses. This would allow a small buffer to take account of any rateable value changes that might occur whilst the scheme remained open. Eligible businesses would receive relief automatically and would have to provide a declaration confirming that they had been adversely affected by the pandemic, as well as complying with the UK's domestic and international subsidy control obligations.

Cabinet formally approved the CARF scheme and agreed that delegated authority be granted to the Chief Executive in consultation with the Cabinet Portfolio Holders for Finance and Performance Management and Economic Development and Regeneration to finalise the amount of reduction and detailed criteria.

The Revenues and Benefits Manager and his team were congratulated on the support they had provided to local business with regard to disseminating various grant schemes.

**RESOLVED:** That the:

- 1) COVID-19 Additional Relief Fund outlined in the report be approved; and
- 2) Chief Executive be granted delegated authority in consultation with the Cabinet Portfolio Holders for Finance and Performance Management and Economic Development and Regeneration to finalise the amount of reduction and detailed criteria.

CB21/79. **ELECTRIC VEHICLE CHARGING IN CAR PARKS OWNED BY ROTHER DISTRICT COUNCIL**

(9)

Cabinet gave consideration to the report of the Head of Neighbourhood Services which detailed the delivery of electric vehicle (EV) charging points in Council owned car parks across the district. The report had been considered by the Climate Change Steering Group on 13 January 2022 and a copy of the Minutes had been appended to the report for Cabinet's consideration. A key priority in the Council's Rother Environment Strategy adopted in September 2020 was air quality, sustainable transport and energy. Government statistics detailed that transport was the largest source of carbon dioxide emissions (37%).

Sales of EVs had risen and the Government continued to introduce policy, investment and fiscal measures to promote the development of this market and ultimately ban sales of petrol and diesel vehicles by 2030. Therefore, provision of a reliable public network / infrastructure was essential. It was noted that the capital costs of delivering infrastructure could be significant and generating profit was unlikely in the short term. Opportunities to collaborate with the private sector were increasing and there was the potential to install infrastructure at no capital investment cost to the Council. However, this meant that the Council would have little control over the location of EV charging points, rates and revenue collected.

At present there were nine EV charging locations across the district namely Cooden Beach Hotel, Yeomans Hyundai Bexhill, Aldi Bexhill, Flimwell Park, Battle Brewery, The Bell in Iden, Flackley Ash Hill Hotel in Peasmarsch, The Gallivant in Camber and Route 1066 Café at Johns Cross. Unfortunately, not all were accessible to the public. The Council owned 44 car parks, 16 were free of charge (predominantly rural) and 28 were pay and display (predominantly urban). It was noted that East Sussex County Council (ESCC) was responsible for the provision of on-street EV installations.

It was proposed that a procurement exercise be commenced working with the East Sussex Procurement Hub to source an appropriate Provider to provide equipment and install EV charging points (dual or single) at nil capital investment cost to the Council in several car parks across the district, seeking to have at least one in Battle, Bexhill and Rye, if feasible. Typical length of contract would be 15 to 20 years and installation could take approximately 12 months or longer to complete. A feasibility study would be requested to identify suitable locations,

equipment / technology required, as well as maintenance, pricing (payment methods) and costs. The type of technology installed i.e. fast (two to three hours plus) or rapid chargers (60 minutes plus) would be dictated by the available power supplied at each location and the Provider's feasibility study.

Cabinet approved the procurement of a Provider to install EV charging infrastructure in selected Council owned car parks at nil capital investment to the Council. It was essential that a robust attractive specification be presented at the procurement stage to ensure that the Council received a suitable and sustainable long-term contract. It was noted that significant investigation had commenced regarding understanding the market and learning from other local authorities' experiences. The Cabinet Portfolio Holder for Environment advised that she would be questioning ESCC regarding progression of on-street EV charging points.

Cabinet requested that the Government be lobbied for further financial support to broaden EV charging across the district and East Sussex.

**RESOLVED:** That:

- 1) delegated authority be granted to the Director – Place and Climate Change in consultation with the Cabinet Portfolio Holder for Environmental Management to procure and appoint an appropriate Provider to install electric vehicle charging infrastructure in some Council owned car parks at nil capital investment cost (i.e. a 'concession agreement') to the Council, thus enabling some or all risks to be transferred to the Provider, and to take any necessary decisions in relation to this matter to ensure delivery of the project;
- 2) it be noted that significant work had already been completed in gaining an understanding of the electric vehicle charging market provision and learning from other local authority experience, and that it be recognised that more detailed background work would be required prior to the procurement and delivery of the project; and
- 3) the Government be lobbied for further financial support to broaden electric vehicle charging across the district and East Sussex for the future.

CB21/80.  
(10)

### **KEY PERFORMANCE TARGETS 2022/23**

Cabinet received and considered Minute OSC21/44 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 24 January 2021 that had considered the Key Performance Indicators (KPIs) for 2022/23. Managing performance to deliver the best possible outcomes within the resources available was a core function for the Council. Therefore, annually the Council selected a small set of KPIs and agreed their target levels of performance for the next financial year. In turn, they would be quarterly reported to, monitored and scrutinised by the OSC with any recommendations being forwarded to Cabinet for consideration.

The KPIs focused on key outcomes within the Corporate Plan and the impact of both the local economy and efficient delivery of key services to Rother's residents, within the Council's resources. Fourteen KPIs were proposed for 2022/23 and would be reported within five themed areas, namely:

- Housing and Communities (four indicators)
- Finance Performance (three indicators)
- Economic Development and Poverty (three indicators)
- Environment (two indicators)
- Planning (two indicators)

Other KPIs that were exceeding or significantly missing their target would be reported to the OSC by exception.

The Environment Strategy 2020-2030 set out the activities and actions that were to be undertaken in response to the Council's Climate Emergency Declaration in 2019. On 10 January 2022, it was agreed that the performance of the organisational carbon reduction programme should be the remit of the Climate Change Steering Group. It was noted that performance against the baseline would probably only be updated annually. The OSC would be kept abreast of performance.

Cabinet approved the KPIs and targets and were satisfied that these provided an adequate review of the Council's key performance areas.

**RESOLVED:** That the following Key Performance Indicators for 2022/23 and their performance targets be approved and reviewed by the Overview and Scrutiny Committee:

**1) Housing and Communities**

- Number of households in Temporary Accommodation: Target 60
- Number of households on the Housing Register: Target 1,200
- Number of affordable homes delivered (gross): Target 106 (supply) and 121 (local)
- Number of prevented homelessness: Target to be confirmed

**2) Financial Performance**

- Asset Income Total: Target £1,850,000
- Property Investment Income: Target to be confirmed
- Cost of Temporary Accommodation: Target to be confirmed

**3) Economic Development and Poverty**

- Number of Council Tax Reduction Claimants: Target: 6,960 (3,919 working age, 3,041 pensionable age)
- Council Tax Collection Rates: Target: 98.30%
- Business Rates Collection Rates: Target: 98.00%

**4) Environment**

- Waste re-used, composted and recycled: Target: 52%
- Carbon Baseline: Target to be confirmed

**5) Planning**

- Major Applications: weeks to process: Target: 13 weeks



- Minor Applications: weeks to process: Target: 8 weeks

**CHAIRMAN**

The meeting closed at 7:46pm.